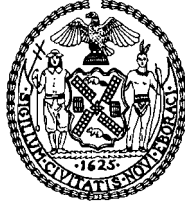


MEMO ENDORSED



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/01/07

MICHAEL A. CARDOZO
Corporation Counsel

**THE CITY OF NEW YORK
LAW DEPARTMENT**
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NEW YORK, NY 10007

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(212) 788-0869
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September 28, 2007

BY HAND DELIVERY

Honorable Richard M. Berman
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 1020
New York, NY 10007

Re: Blaine Peterson v. City of New York, et al.
07-CV-7111 (RMB)(MHD)

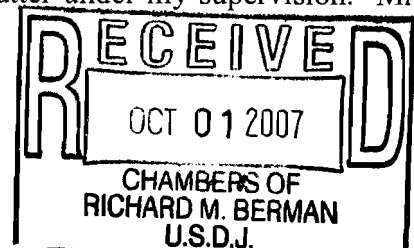
Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, supervising the defense of the above-referenced federal civil rights lawsuit.¹ I respectfully write to request an adjournment of the initial pre-trial conference currently scheduled for October 9, 2007 at 2:00 p.m. Plaintiff's counsel, Leo Glickman, consents to this request.

By way of background, plaintiff in this case alleges that on April 24, 2006, upon returning to Rikers Island from a court appearance, he was assaulted and battered by New York City correction officers and as a result sustained injuries to his nose, eye and body, and subsequently spent three months in solitary confinement because of the incident.

Defendant City of New York recently received plaintiff's Notice of Lawsuit and Request for Waiver of Service of Summons, which was sent on August 27, 2007. The waiver was signed and returned by this office to plaintiff's counsel on September 13, 2007. Pursuant to

¹ This case has been assigned to Assistant Corporation Counsel Maurice Hudson, who is presently awaiting admission to the bar and is handling this matter under my supervision. Mr. Hudson may be reached directly at (212) 788-8684.



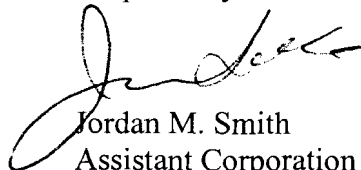
Rule 4(d)(3) of the Federal Rules of Civil Procedure, the defendant's answer is not due until October 26, 2007.

We are presently obtaining information from the Department of Correction regarding the incident in question and will require the time until the answer is due to complete this process. Furthermore, adjourning the conference until after the answer is due on October 26, 2007, will allow our office to adequately prepare to address all relevant case management issues at the conference, as well as to develop a written case management plan in accordance with Your Honor's rules.

No previous request for an adjournment of the initial conference has been made. Accordingly, it is respectfully requested that the initial pre-trial conference be adjourned to a date after October 26, 2007.

Thank you for your consideration of this request.

Respectfully submitted,



Jordan M. Smith
Assistant Corporation Counsel

cc: Leo Glickman, Esq. (by fax)
Stoll, Glickman & Bellina
71 Nevins Street
Brooklyn, NY 11217

Adjourned to 9:15 A.M. on	
11/1/07.	
SO ORDERED:	Richard M. Berman
Date: 10/1/07	Richard M. Berman, U.S.D.J.